

City of DeFuniak Springs

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March 1, 2011

Senator Marco Rubio
US Senator
United States Senate
356 Russell Senate Office Bldg
Washington, DC 20510

Dear Senator Rubio,

At the regularly scheduled Council Meeting on February 28th, 2011, the Mayor and Council adopted the attached resolution in opposition of the U.S. Environmental Protection Agency's proposed Numeric Nutrient Criteria.

Should you have any questions, please don't hesitate to contact me.

Sincerely,

THE CITY OF DEFUNIAK SPRINGS


Kim Kirby
City Manager

A RESOLUTION OF THE CITY OF DEFUNIAK SPRINGS IN OPPOSITION OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S PROPOSED NUMERIC NUTRIENT CRITERIA FOR FLORIDA AS SET FORTH IN THE "WATER QUALITY STANDARD FOR THE STATE OF FLORIDA'S LAKES AND FLOWING WATERS" RULING.

WHEREAS, on November 14, 2010, the Environmental Protection Agency (EPA) implemented a rule that takes effect in 15 months, requiring a numeric nutrient criteria for inland water bodies in Florida; and

WHEREAS, the implementation of this rule is in response to a lawsuit that determined that Florida's existing narrative nutrient water quality standards do not meet the requirement of the Clean Water Act; and

WHEREAS, this EPA rule only applies to the State of Florida; and

WHEREAS, the State of Florida already has narrative nutrient water quality standards that were previously approved by the EPA and are currently monitored by the Florida Department of Environmental Protection; and

WHEREAS, Florida's cities realize the importance of maintaining quality waters throughout the state, but this change in criteria and the short deadline to impose it will require aggressive and expensive modifications to all programs to meet the standards of this new criteria; and

WHEREAS, a numeric nutrient criteria will ultimately cause numerous Florida water bodies, including those that show no adverse impacts associated with nutrient pollution, to be deemed impaired and thus subject to recovery efforts by the state or local governments; and

WHEREAS, a study by the Florida Department of Environmental Protection projects these mandates could cost Florida municipal storm water systems \$17.101 billion and municipal wastewater treatment systems \$4.167 billion in capital expenditures; and

WHEREAS, the City of DeFuniak Springs and many other state and local agencies responsible for protecting Florida's waters have raised serious concerns about the methodology EPA used to develop these numeric nutrient standards; and


WHEREAS, these numeric standards fail to adequately take into account the diversity of Florida's streams, rivers and lakes and the extremely restrictive criteria will be fiscally impractical to meet, resulting in an adverse impact to Florida's overall economy.


NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEFUNIAK SPRINGS

Section 1. That the City of DeFuniak Springs urges the Florida Legislature, the Florida congressional delegation and others to demand that any statewide numeric nutrient criteria be established through a science-driven process with adequate time to address concerns of regulated entities and with an appropriate, realistic time frame for achieving compliance.

Section 2. That the City of DeFuniak Springs urges other state and local agency officials to contact their state and federal representatives and request they demand a water quality standard that is based on science, and not an arbitrary number, to determine a water body's pollutant level.

PASSED AND ADOPTED by the City Council of the City of DeFuniak Springs on the 28th of February, 2011.


C. Harold Carpenter
Mayor

ATTEST: 
Jonathan D. King
City Clerk